IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 11137 of 2007(A)

PETITIONER:

S.RADHAKRISHNAN, DISTRICT OFFICER,
GROUND WATER DEPARTMENT, ALAPPUZHA.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI
SMT.DHANYA CHANDRAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, WATER RESOURCES
DEPARTMENT, GOVT. SECRETARIAT, TRIVANDRUM.

2. THE SECRETARY TO GOVT. OF KERALA,
VIGILANCE DEPARTMENT, GOVT. SECRETARIAT,
TRIVANDRUM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 11137 OF 2007

Dated this the 30th March, 2007.

JUDGMENT

The petitioner was placed under suspension as per Ext.P1 order dated 5.11.1996 passed by the second respondent. He was reinstated in service as per Ext.P2 order. The ground for suspension was the pendency of a crime case against the petitioner. It is stated that the criminal case ended in acquittal vide Ext.P3 judgment. Criminal Appeal No: 466/2000 filed by the respondents was dismissed by this Court. Inspite of the order passed by this Court in the criminal appeal and repeated requests made by the petitioner, the period of suspension has not been regularised. Counsel for the petitioner submits that the delay has resulted in miscarriage of justice. The petitioner is going to retire from service within a short time and further delay will result in denial of justice to him.

2. Heard Govt. Pleader for the respondents.

3. In the light of the pending representations evidenced by Exts.P4 and P6, there shall be an order directing the respondents to consider the request of the petitioner, regularise the period of suspension with due notice to him and communicate the order thus passed as

early as possible, in any event within two months from the date of receipt of a copy of the judgment. Writ petition is disposed of accordingly.

The petitioner shall produce a copy of the judgment and copy of the writ petition before the respondents for necessary action.

K.K.DENESAN
Judge

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